

IN THE HIGH COURT OF ORISSA AT CUTTACK

BLAPL No.9951 of 2022

Dolamani Bastia

....

Petitioner

Mr. R.K. Pattanaik, Advocate

-versus-

State of Odisha

....

Opposite Party

Mr. Karunakar Gaya, ASC

CORAM: JUSTICE V. NARASINGH

ORDER
28.10.2022

Order No.

01.

1. This matter is taken up through hybrid mode.
2. Heard learned counsel for the Petitioner and learned counsel for the State.
3. The Petitioner is an accused in G.R. Case No.1119 of 2022 pending in the file of learned S.D.J.M, Bolangir, arising out of Deogaon P.S Case No.126 of 2022, for commission of the alleged offence under Sections 341/294/397/506/34 IPC.
4. Being aggrieved by the rejection of his application for bail U/s.439 Cr.P.C. by the learned Sessions Judge, Balangir by order dated 19.09.2022 in the aforementioned case, the present BLAPL has been filed.
5. It is submitted by the learned counsel for the Petitioner that though Petitioner is innocent but due to criminal proclivity, he has been remanded in the case at hand.

6. Learned counsel for the State on the basis of rejection order refutes such submission of the learned counsel for the Petitioner and submits that prima facie since Petitioner is a history-sheeter, he ought not to be released on bail during currency of investigation.

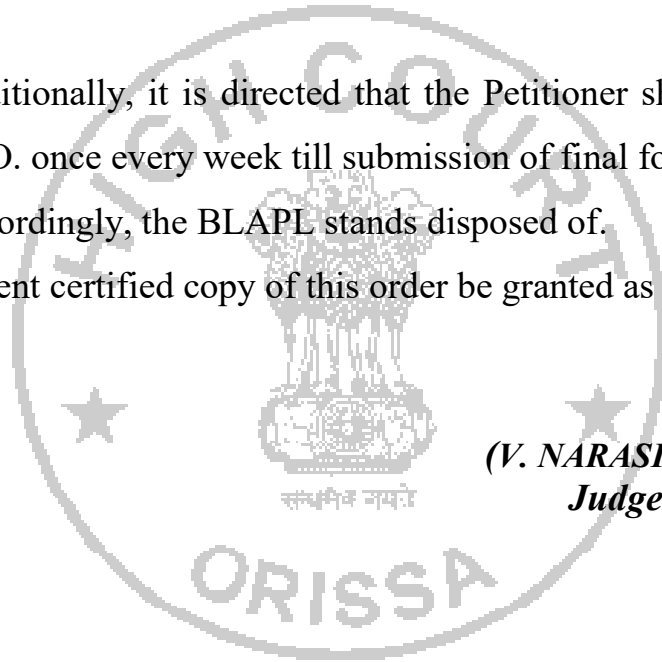
7. Taking into account the nature of allegation and the punishment prescribed and as the Petitioner has remanded in this case on 13.09.2022, this Court directs the Petitioner to be released on bail on such terms to be fixed by the learned court in seisin over the matter.

8. Additionally, it is directed that the Petitioner shall appear before the I.O. once every week till submission of final form.

9. Accordingly, the BLAPL stands disposed of.

10. Urgent certified copy of this order be granted as per rule.

PKS



(V. NARASINGH)
Judge